

Appln. No. 10/719,240

Amendment dated April 12, 2005

Reply to Office Action mailed January 12, 2005

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims (deleted text being struck through and added text being underlined):

1. (Currently Amended) A bathtub assistance apparatus for providing assistance for a user to inhibit the user falling when the user is entering and exiting the bathtub, the bathtub assistance apparatus comprising:

a frame assembly being adapted for being positioned on top of the bathtub such that said frame assembly extends between opposing walls positioned at opposite ends of the bathtub;

a support assembly being coupled to said frame assembly such that said support assembly extends upwardly from said frame assembly, said support assembly being adapted for being gripped by the user to provide support for the user when the user is entering and exiting a bathtub; and

at least one locking member being operationally coupled to said frame assembly, said locking member being adapted for selectively engaging the bathtub such that said locking member inhibits sliding of said frame assembly with respect to the bathtub when the user uses said support assembly; and

said support assembly comprising a pair of stanchion members and at least one support member, each of said stanchion members being coupled to said frame assembly such that each of said stanchion members extends upwardly from said frame assembly and the bathtub, said support member being coupled to said stanchion members such that said support member

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extends between said stanchion members, said support member being adapted for being grasped by the user to support the weight of the user when the user is entering and exiting a bath.

2. (Original) The bathtub assistance apparatus as set forth in claim 1, further comprising:

said frame assembly comprising a pair of side members and an end member, said end member being coupled to said side members such that said end member extends between said side members, said end member being positioned at an end of each of said side members such that said end member is adapted for being positioned adjacent one of the opposing walls, said side members being adapted for extending along the length of the bathtub.

3. (Original) The bathtub assistance apparatus as set forth in claim 2, further comprising:

said frame assembly comprising pair of extension members, each of said extension members being operationally coupled to one of said side members opposite said end member, each of said extension members being selectively extendable from the associated one of said side members such that said extension members are adapted for engaging one of the opposing walls to secure said frame assembly between the opposing walls.

4. (Cancelled)

5. (Currently Amended) The bathtub assistance apparatus as set forth in claim 4 1, further comprising:

said support assembly comprising a pair of bracing members, each of said bracing members being coupled to one of said stanchion members and said frame assembly such that each of said bracing members extend between said frame assembly and the associated one of said stanchion members, said

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bracing members being for providing additional support for said stanchion members when the user puts weight on said support member.

6. (Currently Amended) The bathtub assistance apparatus as set forth in claim 4 1, further comprising:

one of said stanchion members having a length greater than a length of the other one of said stanchion members such that the one of said stanchion members having the greater length is adapted for extending between said frame assembly and a ceiling above the bathtub, the one of said stanchion members having the greater length being adapted for abutting the ceiling to push said frame assembly against the top of the bathtub.

7. (Original) The bathtub assistance apparatus as set forth in claim 6, further comprising:

said support assembly comprising a spacer member, said spacer member being operationally coupled to the one of said stanchion members having the greater length opposite said frame assembly, said spacer member being adapted for abutting against the ceiling to compensate for a gap between the ceiling and the stanchion members when said spacer member is actuated with respect to the associated one of said stanchion members.

8. (Original) The bathtub assistance apparatus as set forth in claim 1, further comprising:

said locking member comprising a pivot portion and an engaging member, said pivot portion being pivotally coupled to said frame assembly, said engaging member being coupled to said pivot portion such that said engaging member pivots around said frame assembly, said engaging member being adapted for engaging a side of the bathtub to inhibit sliding of said frame assembly with respect to the bathtub when said locking member is pivoted with respect to the frame assembly.

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9. (Original) The bathtub assistance apparatus as set forth in claim 8, further comprising:

said pivot portion of said locking member comprising a slot, said slot extending through said pivot portion, said slot of said pivot portion receiving a limiting member, said limiting member being operationally coupled to said frame assembly such that said limiting member is for limiting the amount said locking member rotates with respect to said frame assembly, said limiting member being selectively actuated to secure said sleeve portion against said frame assembly to inhibit inadvertent rotation of said locking member with respect to said frame assembly.

10. (Original) A bathtub assistance apparatus for providing assistance for a user to inhibit the user falling when the user is entering and exiting the bathtub, the bathtub assistance apparatus comprising:

a frame assembly being adapted for being positioned on top of the bathtub such that said frame assembly extends between opposing walls positioned at opposite ends of the bathtub;

a support assembly being coupled to said frame assembly such that said support assembly extends upwardly from said frame assembly, said support assembly being adapted for being gripped by the user to provide support for the user when the user is entering and exiting a bathtub;

at least one locking member being operationally coupled to said frame assembly, said locking member being adapted for selectively engaging the bathtub such that said locking member inhibits sliding of said frame assembly with respect to the bathtub when the user uses said support assembly;

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said frame assembly comprising a pair of side members and an end member, said end member being coupled to said side members such that said end member extends between said side members, said end member being positioned at an end of each of said side members such that said end member is adapted for being positioned adjacent one of the opposing walls, said side members being adapted for extending along the length of the bathtub;

said frame assembly comprising pair of extension members, each of said extension members being operationally coupled to one of said side members opposite said end member, each of said extension members being selectively extendable from the associated one of said side members such that said extension members are adapted for engaging one of the opposing walls to secure said frame assembly between the opposing walls;

said support assembly comprising a pair of stanchion members and at least one support member, each of said stanchion members being coupled to one of said side members of said frame assembly such that each of said stanchion members extends upwardly from the associated one of said side members of said frame assembly and the bathtub, said support member being coupled to said stanchion members such that said support member extends between said stanchion members, said support member being adapted for being grasped by the user to support the weight of the user when the user is entering and exiting a bath;

said support assembly comprising a pair of bracing members, each of said bracing members being coupled to one of said stanchion members and one of said side members of said frame assembly such that each of said bracing members extend between the associated one of said side members of said frame assembly and the associated one of said stanchion members, said bracing members being for providing additional support for said stanchion members when the user puts weight on said support member;

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one of said stanchion members having a length greater than a length of the other one of said stanchion members such that the one of said stanchion members having the greater length is adapted for extending between said frame assembly and a ceiling above the bathtub, the one of said stanchion members having the greater length being adapted for abutting the ceiling to push said frame assembly against the top of the bathtub;

said support assembly comprising a spacer member, said spacer member being operationally coupled to the one of said stanchion members having the greater length opposite said frame assembly, said spacer member being adapted for abutting against the ceiling to compensate for a gap between the ceiling and the stanchion members when said spacer member is actuated with respect to the associated one of said stanchion members;

said locking member comprising a pivot portion and an engaging member, said pivot portion being pivotally coupled to one of said side members of said frame assembly, said engaging member being coupled to said pivot portion such that said engaging member pivots around the associated one of said side members of said frame assembly, said engaging member being adapted for engaging a side of the bathtub to inhibit sliding of said frame assembly with respect to the bathtub when said locking member is pivoted with respect to the frame assembly; and

said pivot portion of said locking member comprising a slot, said slot extending through said pivot portion, said slot of said pivot portion receiving a limiting member, said limiting member being operationally coupled to the associated one of said side members of said frame assembly such that said limiting member is for limiting the amount said locking member rotates with respect to the associated one of said side members of said frame assembly, said limiting member being selectively actuated to

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secure said sleeve portion against the associated one of said side members of said frame assembly to inhibit inadvertent rotation of said locking member with respect to said frame assembly.

New Claims:

11. (New) A bathtub assistance apparatus for providing assistance for a user to inhibit the user falling when the user is entering and exiting the bathtub, the bathtub assistance apparatus comprising:

a frame assembly being adapted for being positioned on top of the bathtub such that said frame assembly extends between opposing walls positioned at opposite ends of the bathtub;

a support assembly being coupled to said frame assembly such that said support assembly extends upwardly from said frame assembly, said support assembly being adapted for being gripped by the user to provide support for the user when the user is entering and exiting a bathtub; and

at least one locking member being operationally coupled to said frame assembly, said locking member being adapted for selectively engaging the bathtub such that said locking member inhibits sliding of said frame assembly with respect to the bathtub when the user uses said support assembly; and

said locking member comprising a pivot portion and an engaging member, said pivot portion being pivotally coupled to said frame assembly, said engaging member being coupled to said pivot portion such that said engaging member pivots around said frame assembly, said engaging member being adapted for engaging a side of the bathtub to inhibit sliding of said frame assembly with respect to the bathtub when said locking member is pivoted with respect to the frame assembly.

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12. (New) The bathtub assistance apparatus as set forth in claim 11, further comprising:

said frame assembly comprising a pair of side members and an end member, said end member being coupled to said side members such that said end member extends between said side members, said end member being positioned at an end of each of said side members such that said end member is adapted for being positioned adjacent one of the opposing walls, said side members being adapted for extending along the length of the bathtub.

13. (New) The bathtub assistance apparatus as set forth in claim 12, further comprising:

said frame assembly comprising pair of extension members, each of said extension members being operationally coupled to one of said side members opposite said end member, each of said extension members being selectively extendable from the associated one of said side members such that said extension members are adapted for engaging one of the opposing walls to secure said frame assembly between the opposing walls.

14. (New) The bathtub assistance apparatus as set forth in claim 11, further comprising:

said pivot portion of said locking member comprising a slot, said slot extending through said pivot portion, said slot of said pivot portion receiving a limiting member, said limiting member being operationally coupled to said frame assembly such that said limiting member is for limiting the amount said locking member rotates with respect to said frame assembly, said limiting member being selectively actuated to secure said sleeve portion against said frame assembly to inhibit inadvertent rotation of said locking member with respect to said frame assembly.